

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE CONSENT ORDER**

IN THE MATTER OF:

Steve Carlson d/b/a Dalarna Farms Partnership
Facility ID #60126
Henry County, Iowa

**ADMINISTRATIVE CONSENT ORDER
NO. 2008-AFO-02**

TO: Steve Carlson
2397 240th Street
New London, Iowa 52645

VIOLATION: Iowa Code section 459.312; 567 Iowa Administrative Code (IAC) 65.17; 567 IAC 67.16(3)"b" and "c". You failed to submit a complete Iowa Phosphorus Index manure management plan (MMP) to the Iowa Department of Natural Resources (DNR), the board of supervisors of the county where your confinement feeding operation is located, and to the board of supervisors of each county where manure from your confinement feeding operation is land-applied, by April 1, 2007. You were sent a notice of the requirements on January 26, 2007 and February 13, 2007. On April 4, 2007, you submitted an incomplete MMP to DNR Field Office 6. On May 24, 2007 and June 27, 2007, attempts were made by telephone to discuss the MMP. On August 8, 2007, you were sent a Notice of Violation letter for failing to submit a complete MMP. On August 17, 2007, you submitted some of the required materials; however your MMP remained incomplete. On August 28, 2007, a notice of referral was sent to you.

ORDER: You shall submit your complete Iowa Phosphorus Index MMP to DNR Field Office #6 by December 15, 2007. In addition, a penalty of \$2,000.00 shall be paid within 30 days of the Director signing this Order. This penalty shall be paid to the DNR, at the address listed below. \$200.00 of this amount is assessed for economic benefit from delayed payment of fees and delayed preparation costs. \$900.00 of this amount is based on the gravity of the violation, considering the size of this facility, agency costs in addressing this violation, the importance of the animal feeding operation program, and the threat to the integrity of the animal feeding operation program. \$900.00 of this amount is for culpability; the MMP requirements have been widely publicized in the industry, ample time for compliance was allowed and you were sent notices of the requirements by the DNR.

AUTHORITY: Iowa Code §455B.109, §459.103(3), §459.312; 567 IAC 10.3, 65.16(3)"b" and "c", 65.17.

APPEAL: This Order is entered into knowingly by and with the consent of Steve Carlson d/b/a Dalarna Farms Partnership. For that reason, Steve Carlson d/b/a Dalarna Farms Partnership waives the right to appeal this Order or any part thereof.

NONCOMPLIANCE: If you fail to comply with this Order you may be subject to further penalties pursuant to Iowa Code §455B.109 or penalties and injunction pursuant to Iowa Code §455B.191 and §459.603.

For Steve Carlson

Richard A. Leopold, DIRECTOR

IOWA DEPARTMENT OF NATURAL RESOURCES

502 East Ninth Street; Wallace State Office Building; Des Moines, Iowa 50319

Facility # 60126, Kelli Buok, Ken Hennesius, Field Office 6, EPA. VIII. C.1

Dated this 1 day of

December, 2007

Dated this 11 day of

Jan., 2008

RECEIVED

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